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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/678,728	10/04/2000	Yat-Tung Lam	MP0042	6746

28285 7590 11/15/2005

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EXAMINER

MAI, TAN V

ART UNIT	PAPER NUMBER
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2193

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/678,728

Applicant(s)

LAM, YAT-TUNG

Examiner

Tan V. Mai

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 3-7, 13 and 18 is/are allowed.
6) ☒ Claim(s) 1, 2, 8-12 and 14-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 02 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/2/05
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-2 and 8-12 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lish.

Rejection grounds continue to be those set forth in the previous office action (Paper mailed 5/26/05, paragraph 2).

3. Applicant's arguments filed on 8/2/05 have been fully considered but they are not persuasive.

Applicant, in their remarks, argue that:

Contrary to the assertions of the Patent Office, Applicant respectfully submits that Lish does not teach nor suggest all of the features of present invention. For example, it is respectfully submitted that Lish does not disclose or suggest the feature of, for example, a delay coupled between two of the plurality of filter stages to delay application of the input signal to at least one of said filter stages to skip filtering a portion of the input signal, as recited in, for example independent claim 1 of the present application.

As acknowledged in the Office Action and by the Patent Office during the interview, Lish does not "specifically detail the claimed "delay . . . to skip filtering a portion of the input signal"" [Office Action, page 2 (emphasis added)] However, despite the utter lack of teaching or disclosure, the Patent Office asserts that or the "switching matrix' S1-S4 are capable of providing the equivalent function of the claimed 'delay . . . to skip.'" [Office Action, page 2 (emphasis added)] The Patent Office maintains that, with reference to, for example, Figure 48 of Lish, the invention disclosed by Lish is allegedly capable of skipping filtering of a portion of the input signal, because each filter circuit unit includes a shift register and processes a portion of the input signal."

With respect to the arguments, the examiner carefully reviews all the applied references and the claimed invention.

The examiner agrees with Applicants that Lish does not disclose the term "**skip**" in "delay . . . to **skip** filtering a portion of the input signal'"; however, Lish's feature

is capable of providing the equivalent function because the "plurality of delay elements Z" and "Switching Matrix" are capable of "skipping" the "delayed input signal" in certain stage(s). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to design the claimed invention according to Lish's teaching because device is a FIR filter having "plurality of delay elements Z " and "Switching Matrix" are capable of "skipping" the "delayed input signal" as claimed.

4. The following is an examiner's statement of reasons for allowance: the recorded references do NOT teach or suggest the novel:

"a first block of filter stages ..., for filtering a first portion of the input signal ...;
a second block of filter stages ..., for filtering a second portion of the input signal ..."

feature as recited in independent claims 7, 13 and 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan V. Mai whose telephone number is (571) 272-3726. The examiner can normally be reached on Mon-Wed and Fri. from 9:30am to 2:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki, can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is:

Official (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



Tan V. Mai
Primary Examiner